
ENGROSSED SENATE BILL 5606

State of Washington

59th Legislature

2005 Regular Session

By Senators Pridemore, Schmidt, McAuliffe and Kohl-Welles; by request of Governor Gregoire

Read first time 01/31/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to activation of the national guard; amending RCW
2 38.08.040 and 38.24.010; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 38.08.040 and 1993 c 263 s 1 are each amended to read
5 as follows:

6 In event of war, insurrection, rebellion, invasion, tumult, riot,
7 mob, or organized body acting together by force with intent to commit
8 a felony or to offer violence to persons or property, or by force and
9 violence to break and resist the laws of this state, or the United
10 States, or in case of the imminent danger of the occurrence of any of
11 said events, or at the lawful request of competent state or local
12 authority in support of enforcement of controlled substance statutes,
13 or whenever responsible civil authorities shall, for any reason, fail
14 to preserve law and order, or protect life or property, or the governor
15 believes that such failure is imminent, or in event of public disaster,
16 or when otherwise required for the public health, safety, or welfare,
17 or to perform any military duty authorized by state law, or to prepare
18 for or recover from any of these events or the consequences thereof,
19 the governor shall have power to order the organized militia of

1 Washington, or any part thereof, into active service of the state to
2 execute the laws, and to perform such duty as the governor shall deem
3 proper.

4 **Sec. 2.** RCW 38.24.010 and 1991 c 43 s 4 are each amended to read
5 as follows:

6 All bills, claims and demands for military purposes shall be
7 certified or verified and audited in the manner prescribed by
8 regulations promulgated by the governor and shall be paid by the state
9 treasurer from funds available for that purpose. In all cases where
10 the organized militia, or any part of the organized militia, is called
11 into the service of the state to (~~execute or enforce the laws or in
12 case of war, riot, insurrection, invasion, breach of the peace, public
13 disaster, or the imminent danger of the occurrence of any of these
14 events~~) perform duties under RCW 38.08.040, except for anticipated
15 planning, training, exercises, and other administrative duties that are
16 not of an emergent nature, warrants for allowed pay and expenses for
17 such services or compensation for injuries or death shall be drawn upon
18 the general fund of the state treasury and paid out of any moneys in
19 said fund not otherwise appropriated. All such warrants shall be the
20 obligation of the state and shall bear interest at the legal rate from
21 the date of their presentation for payment.

22 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of the
24 state government and its existing public institutions, and takes effect
25 immediately.

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